

10A.204 Duties and powers — labor services.

1. The duties of the commissioner or director, as applicable, pursuant to [this subchapter](#) shall be as follows:

a. To safely keep all records, papers, documents, correspondence, and other property pertaining to or coming into the commissioner's or director's hands by virtue of the office, and deliver the same to the commissioner's or director's successor, except as otherwise provided.

b. To collect, assort, and systematize statistical details relating to programs of the division or department under [this subchapter](#).

c. To issue from time to time bulletins containing information of importance to the industries of the state and to the safety of wage earners.

d. To conduct and to cooperate with other interested persons and organizations in conducting educational programs and projects on employment safety.

2. The commissioner shall serve as an ex officio member of the state fire service and emergency response council created in [section 100B.1](#), or shall appoint a designee to serve as an ex officio member of such council, to assist the council in the development of rules relating to fire fighting training standards and any other issues relating to occupational safety and health standards for fire fighters.

3. The director, in consultation with the labor commissioner, shall, at the time provided by law, make an annual report to the governor setting forth in appropriate form the business and expense of the division and department under [this subchapter](#) for the preceding year, the number of remedial actions taken under [chapter 89A](#), the number of disputes or violations processed by the division or department and the disposition of the disputes or violations, and other matters pertaining to the division or department under [this subchapter](#) which are of public interest, together with recommendations for change or amendment of the laws in [this chapter](#) and [chapters 88, 88A, 88B, 89, 89A, 89B, 90A, 91A, 91C, 91D, 91E, and 92](#), and [sections 85.67A and 85.68](#), and the recommendations, if any, shall be transmitted by the governor to the first general assembly in session after the report is filed.

4. The commissioner or director, as applicable, with the assistance of the office of the attorney general if requested by the commissioner or director, may commence a civil action in any court of competent jurisdiction to enforce the statutes under the commissioner's or director's jurisdiction under [this subchapter](#).

5. The division or department, as applicable, may sell documents printed by the division or department as it relates to [this subchapter](#) at cost according to rules established by the commissioner or director pursuant to [chapter 17A](#). Receipts from the sale shall be deposited to the credit of the department and may be used by the division for administrative expenses of the division and department under [this subchapter](#).

6. Except as provided in [chapter 91A](#), the commissioner or director, as applicable, may recover interest, court costs, and any attorney fees incurred in recovering any amounts due under [this subchapter](#). The recovery shall only take place after final agency action is taken under [chapter 17A](#), or upon judicial review, after final disposition of the case by the court. Attorney fees recovered in an action brought under the jurisdiction of the commissioner or director under [this subchapter](#) shall be deposited in the general fund of the state. The commissioner and director are exempt from the payment of any filing fee or other court costs including but not limited to fees paid to county sheriffs.

7. The commissioner or director may establish rules pursuant to [chapter 17A](#) to assess and collect interest on fees, penalties, and other amounts due the division or department, as applicable, under [this subchapter](#). The commissioner or director may delay or, following written notice, deny the issuance of a license, commission, registration, certificate, or permit authorized under [chapter 88A, 89, 89A, 90A, or 91C](#) if the applicant for the license, commission, registration, certificate, or permit owes a liquidated debt to the commissioner or director.

[C97, §2469, 2470; S13, §2469, 2470; C24, 27, 31, 35, 39, §1513; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §91.4]

[86 Acts, ch 1244, §15; 86 Acts, ch 1245, §920; 91 Acts, ch 136, §3; 92 Acts, ch 1098, §6; 93 Acts, ch 180, §58; 96 Acts, ch 1186, §23; 99 Acts, ch 68, §14, 15; 99 Acts, ch 130, §8; 2000 Acts,](#)

ch 1117, §7; 2006 Acts, ch 1053, §1; 2006 Acts, ch 1185, §117; 2007 Acts, ch 211, §34; 2010 Acts, ch 1015, §7; 2011 Acts, ch 34, §23; 2023 Acts, ch 19, §1449, 1459

C2024, §10A.204

Section transferred from §91.4 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §1459

Section amended